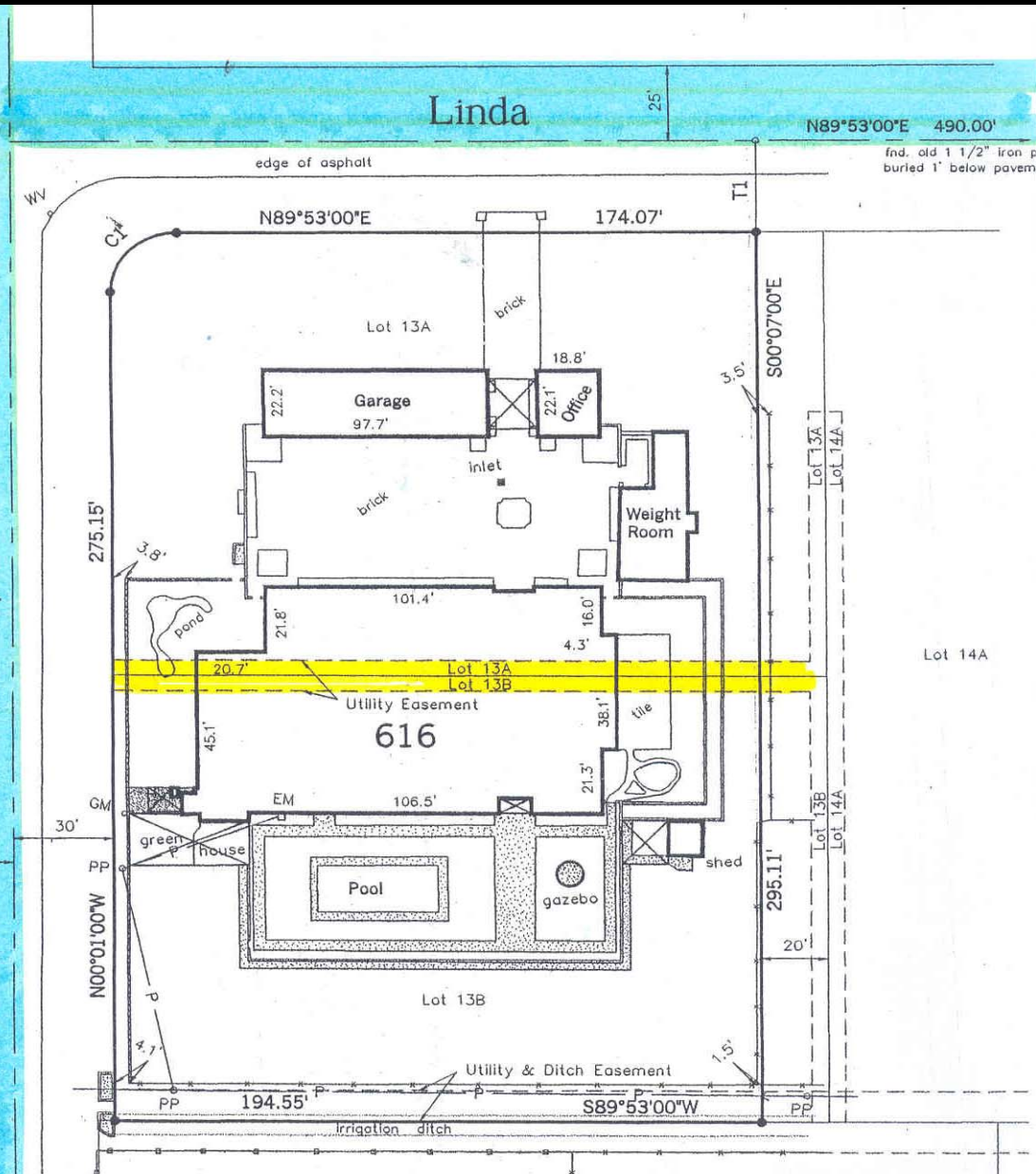


Montoya



5V

ORDINANCE NO. _____

AN ORDINANCE VACATING A TEN-FOOT (10') UTILITY EASEMENT LOCATED WITHIN A PORTION OF LOTS 13A AND 13B, COUNTRY CLUB PLACE SUBDIVISION, CITY OF EL PASO, EL PASO COUNTY, TEXAS.

WHEREAS, the City Plan Commission has recommended a vacation of a ten-foot (10') utility easement located within *a portion of Lots 13A and 13B, Country Club Place Subdivision, City of El Paso, El Paso County, Texas*, and the City Council finds that said easement is not needed for public use and should be vacated as recommended; and

WHEREAS, the City of El Paso acknowledges an offer of value for the easement equivalent to the easements value pursuant to City ordinance;

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That, in consideration of the receipt by the City of TWENTY-FIVE AND NO/100THS DOLLARS (\$25.00) and other good and valuable consideration, the sufficiency of which is acknowledged, a ten-foot (10') utility easement located within a portion of Lots 13A and 13B, Country Club Place Subdivision, City of El Paso, 'El Paso County, Texas, as further described in the attached metes and bounds description, identified as Exhibit "A" and made a part hereof by reference, be and is hereby vacated, closed and abandoned.

In addition, the Mayor is authorized to sign an instrument quitclaiming all of the City's right, title and interest in and to such vacated easement to **Scott M. Schwartz**.

PASSED AND APPROVED this 3rd of August, 2004.


THE CITY OF EL PASO

Joe Wardy
Mayor

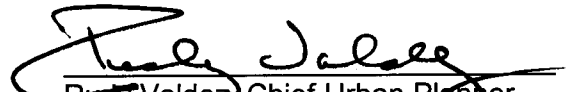
ATTEST:

Richarda Duffy Momsen
City Clerk

APPROVED AS TO FORM:


Matt Watson
Assistant City Attorney

APPROVED AS TO CONTENT:


Rudy Valdez, Chief Urban Planner
Planning, Research and Development
Department

Being a portion of Lots 13A and 13B,
Country Club Place Subdivision,
City of El Paso, El Paso County, Texas
Prepared for: Scott Schwartz
April 26, 2004

METES AND BOUNDS DESCRIPTION

Description of a parcel of land being a portion of Lots 13A and 13B, Country Club Place Subdivision, recorded in Volume 8, Page 31, Plat records of El Paso County, Texas and being more particularly described by metes and bounds as follows:

THE "TRUE POINT OF BEGINNING" being the intersection of the easterly right of way line of Montoya Drive with the common boundary line of Lots 13A and 13B, Country Club Place Subdivision

Thence along the easterly right of way line of Montoya Drive North 00°01'00" East a distance of 5.00 feet to a point on the northerly line of a 10' Utility Easement;

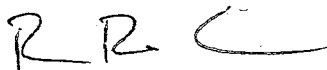
Thence leaving said right of way line North 89°53'00" East a distance of 194.28 feet to a point;

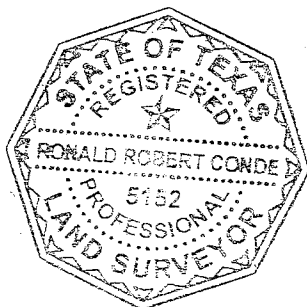
Thence South 00°07'00" East a distance of 10.00 feet to a point on the southerly line of a 10' Utility Easement;

Thence along said line South 89°53'00" West a distance of 194.30 feet to a point on the easterly right of way line of Montoya Drive;

Thence along said right of way line North 00°01'00" West a distance of 5.00 feet to the "TRUE POINT OF BEGINNING" and containing 1,943 Sq. Ft. or 0.0446 acres of land more or less.

NOTE: Not a ground survey, description and bearings based on record plat of Country Club Place Subdivision recorded in Volume 8, Page 31, Plat Records, of El Paso County, Texas


Ron R. Conde
R.P.L.S. No. 5152

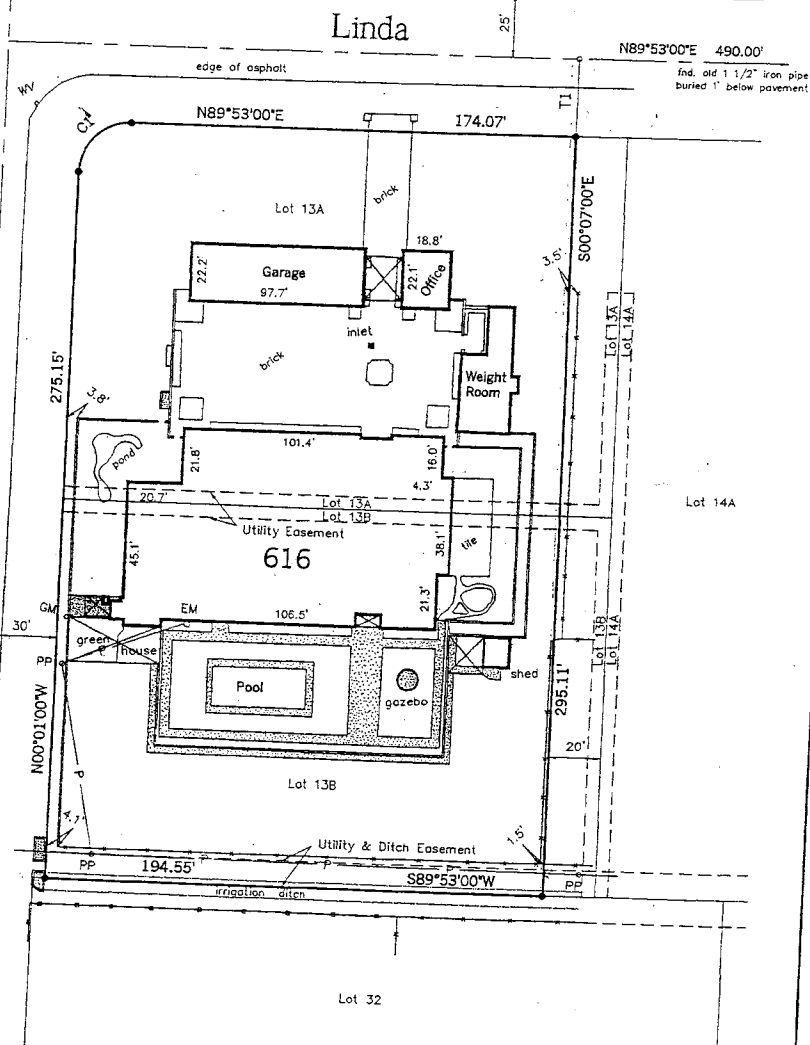


job#404-17 R.C.
LGL-04/40417.LGL

EXHIBIT "A1"

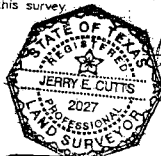
CONDE, INC.
ENGINEERING / LAND SURVEYING / PLANNING
1790 LEE TREVINO SUITE 400 / EL PASO, TEXAS 79936 / (915) 592-0283

ASBESTOS



No.	Bearing	Distance
T1	S00°07'00"E	30.00'

3-11-04
Date



Date of survey: 03-11-04
Job No.: 040303

Cutts Land Surveying, Inc.

Professional Land Surveyors

1100 Montana Avenue, Suite 206
El Paso, Texas 79902

Ph. (915) 534-9391
Fx. (915) 534-9394

PLAT OF SURVEY
PORTION OF LOTS 13A & 13B,
COUNTRY CLUB PLACE,
EL PASO, EL PASO COUNTY, TEXAS

EXHIBIT "AZ"

THE STATE OF TEXAS }
COUNTY OF EL PASO }

QUITCLAIM DEED

That, in consideration of the receipt by the **CITY OF EL PASO** of TWENTY-FIVE AND NO/100THS DOLLARS (\$25.00) and other good and valuable consideration, the sufficiency of which is acknowledged, THE CITY OF EL PASO has released and quitclaimed and by these presents does release and quitclaim unto Scott M. Schwartz, all its rights, title interest, claim and demand in and to the property which was vacated, closed and abandoned by Ordinance No. _____, passed and approved by the City Council of the City of El Paso and described as located within **A PORTION OF LOTS 13A AND 13B, COUNTRY CLUB PLACE SUBDIVISION, CITY OF EL PASO, EL PASO COUNTY, TEXAS**, which is more fully described in the attached metes and bounds description, identified as Exhibit "A" and made a part hereof by reference.

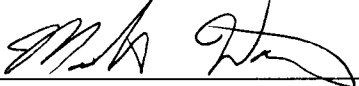
WITNESS the following signatures and seal this **3rd day of August, 2004**.

Joe Wardy
Mayor

ATTEST:


Richarda Momsen
City Clerk

APPROVED AS TO FORM:



Matt Watson
Assistant City Attorney

APPROVED AS TO CONTENT:



Rudy Valdez, Chief Urban Planner
Planning, Research and Development

ACKNOWLEDGMENT

THE STATE OF TEXAS)
)
COUNTY OF EL PASO)

 This instrument is acknowledged before me on this _____ day of
_____, 2004, by Joe Wardy, as Mayor of the CITY OF EL PASO.

Notary Public, State of Texas
Notary's Printed or Typed Name:

My Commission Expires:

AFTER FILING RETURN TO:

**Scott M. Schwartz
1790 Lee Trevino
El Paso, Texas 79936**

Being a portion of Lots 13A and 13B,
Country Club Place Subdivision,
City of El Paso, El Paso County, Texas
Prepared for: Scott Schwartz
April 26, 2004

METES AND BOUNDS DESCRIPTION

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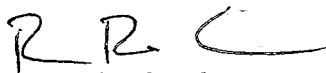
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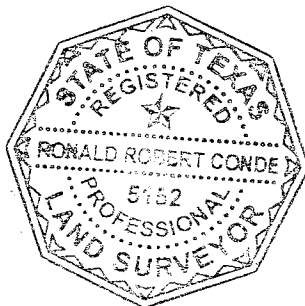
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NOTE: Not a ground survey, description and bearings based on record plat of Country Club Place Subdivision recorded in Volume 8, Page 31, Plat Records, of El Paso County, Texas


Ron R. Conde
R.P.L.S. No. 5152



job#404-17 R.C.
LGL-04\40417.LGL

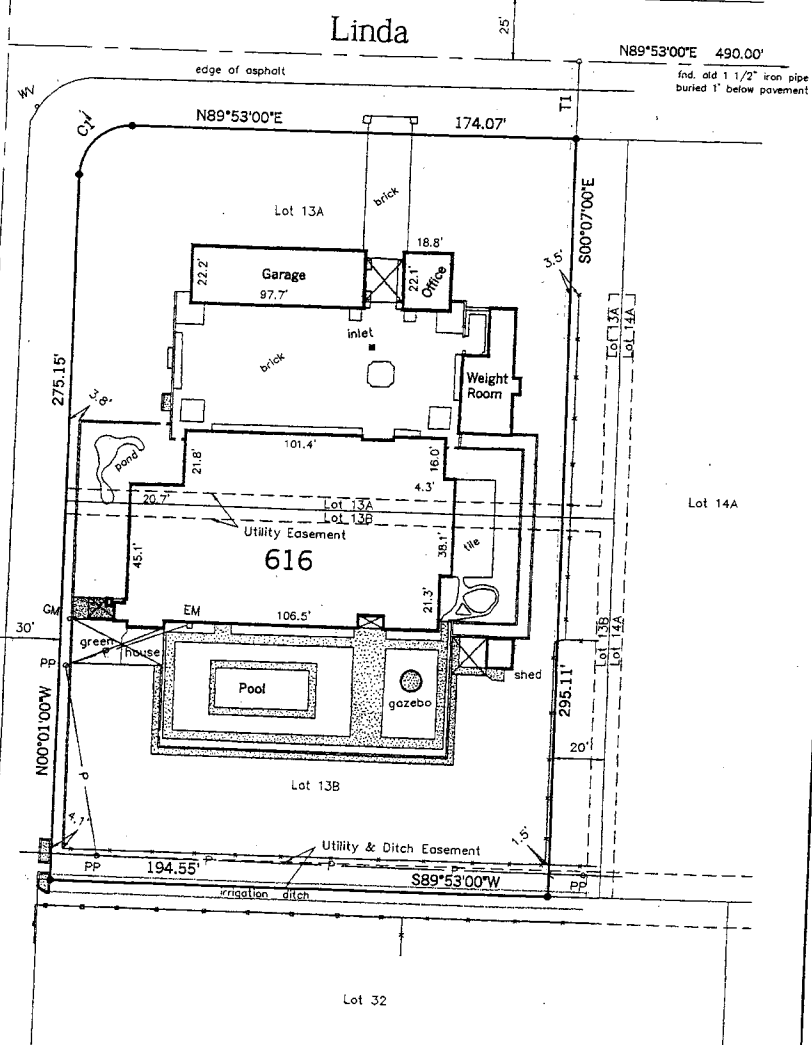
EXHIBIT "A1"

CONDE, INC.
ENGINEERING / LAND SURVEYING / PLANNING
1790 LEE TREVINO SUITE 400 / EL PASO, TEXAS 79936 / (915) 592-0283

Scale: 1" = 40'

NORTH

Montoya

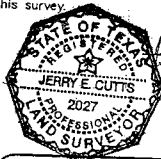


No.	Delta	Radius	Length	Bearing	Chord
C1	89°54'00"	20.00'	31.38'	N44°56'00"E	28.26'

No.	Bearing	Distance
T1	S00°07'00"E	30.00'

I hereby certify that this survey was made on the ground and that this plot represents the facts as found at the time of this survey.

3-11-04
Date



Jerry E. Cutts
Jerry E. Cutts, RPLS

Date of survey: 03-11-04
Job No.: 040303

PLAT OF SURVEY
PORTION OF LOTS 13A & 13B,
COUNTRY CLUB PLACE,
EL PASO, EL PASO COUNTY, TEXAS

Cutts Land Surveying, Inc.

Professional Land Surveyors

1100 Montana Avenue, Suite 206
El Paso, Texas 79902

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EXHIBIT "A2"